IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.3260 OF 2004

Abhijit Deshmukh .. Petitioner

versus

The State of Maharashtra & ors ... Respondents

Mr.A.M.Joshi for Petitioner

Ms.P.A.Purandare for BMC

Mr.M.D.Naik, Assistant Government Pleader for Respondent no. 1

CORAM: R.M.LODHA AND
D.G.KARNIK, JJ

DATED :14th December, 2005

P.C.

Heard Mr.A.M.Joshi,learned counsel for the petitioner and Ms.P.A.Purandare, learned counsel for the respondent no.2.

2. Learned counsel for the respondent no. 2 submitted that so far no decision of granting lease of property being C.S.No.328/10 at Bhau Daji Road, Matunga, Mumbai for redevelopment has been taken by the Corporation. According to her, the proposal for grant of lease of the said plot to the respondent no.5 for redevelopment is presently

under consideration by the Improvement Committee. She submits that if any favourable decision is taken by the Improvement Committee, the same shall have to be approved by the Municipal Corporation.

3. In view of the aforestated submission by the learned counsel for the respondent no.2, we are satisfied that the grievance raised by the petitioner in this writ petition is pre mature. Until date, no final decision has been taken by the Municipal Corporation for grant of the subject plot to the respondent no.5 for redevelopment.

4. The Writ Petition is disposed of as pre mature.

5. The petitioner shall be at liberty to approach the Court as and when final decision is taken by the respondent no. 2 in respect of grant of lease of subject plot for redevelopment to the respondent no. 5.

(R.M. LODHA, J)

(D.G. KARNIK, J)